



# Senate

## File No. 146

General Assembly

February Session, 2002

**(Reprint of File No. 21)**

Substitute Senate Bill No. 213  
As Amended by Senate Amendment  
Schedule "A" and House Amendment  
Schedule "A"

Approved by the Legislative Commissioner  
March 25, 2002

### ***AN ACT CONCERNING THE PREVENTION OF INFLUENZA AND PNEUMONIA IN NURSING HOMES.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1       Section 1. Section 19a-522 of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective October 1, 2002*):

3       (a) [On or before December 1, 1975, the commissioner shall] The  
4       commissioner shall adopt regulations, in accordance with chapter 54,  
5       [adopt regulations] concerning the health, safety and welfare of  
6       patients in nursing home facilities, classification of violations relating  
7       to such facilities, medical staff qualifications, record-keeping, nursing  
8       service, dietary service, personnel qualifications and general  
9       operational conditions. The regulations shall: (1) Assure that each  
10      patient admitted to a nursing home facility is protected by adequate  
11      immunization against influenza and pneumococcal disease in  
12      accordance with the recommendations of the national Advisory  
13      Committee on Immunization Practices, established by the Secretary of  
14      Health and Human Services; (2) specify that each patient be protected

15 annually against influenza and be vaccinated against pneumonia in  
16 accordance with the recommendations of the National Advisory  
17 Committee on Immunization; and (3) provide appropriate exemptions  
18 for patients for whom such immunizations are medically  
19 contraindicated and for patients who object to such immunization on  
20 religious grounds.

21 (b) Nursing home facilities may not charge the family or estate of a  
22 deceased self-pay patient beyond the date on which such patient dies.  
23 Nursing home facilities shall reimburse the estate of a deceased self-  
24 pay patient within sixty days after the death of such patient, for any  
25 advance payments made by or on behalf of the patient covering any  
26 period beyond the date of death. Interest, in accordance with  
27 subsection (a) of section 37-1, on such reimbursement shall begin to  
28 accrue from the date of such patient's death.

This act shall take effect as follows:	
Section 1	October 1, 2002

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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### **OFA Fiscal Note**

#### **State Impact:**

<b>Fund-Type</b>	<b>Agency Affected</b>	<b>Current FY \$</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
GF - Cost	Depts of Social Services, Public Health	None	Potential Minimal	Potential Minimal

**Municipal Impact:** None

#### **Explanation**

This bill as amended requires the Department of Public Health to adopt regulations to assure that each nursing home provide residents with annual influenza inoculations as well as pneumonia inoculations every five years. To the extent that this results in additional inoculations for Medicaid nursing home patients, additional costs to the state may result. However, as the language of the bill conforms state policy to Federal requirements, any such increased costs are expected to be minimal.

It is expected that DPH can adopt the necessary regulations within their current administrative capacity.

Senate "A" and House "A" made technical changes that did not result any fiscal impact.

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**OLR Amended Bill Analysis**

sSB 213 (as amended by Senate "A" and House "A")\*

***AN ACT CONCERNING THE PREVENTION OF INFLUENZA IN NURSING HOMES*****SUMMARY:**

This bill requires the public health commissioner to adopt regulations for the prevention of influenza and pneumococcal disease in nursing homes. The regulations must assure that each nursing home patient is immunized annually against influenza, and against pneumonia according to recommendations of the National Advisory Committee on Immunization. The regulations must also provide appropriate exemptions for patients (1) for whom immunization is medically contraindicated or (2) who object on religious grounds.

\*Senate Amendment "A" substituted "pneumococcal disease" for "pneumonia."

\*House Amendment "A" requires the regulations to assure pneumonia vaccination according to the national committee's recommendation instead of every five years as in the original file.

EFFECTIVE DATE: October 1, 2002

**COMMITTEE ACTION**

Public Health Committee

Joint Favorable Substitute

Yea 21      Nay 0